

924-08 /MEU

FREEHILL, HOGAN & MAHAR, LLP
Attorneys for Respondents
MARINA WORLD SHIPPING CORP.,
GRESHAM WORLD SHIPPING CORP.,
TARAZONA SHIPPING CO., S.A., QUOIN
ISLAND MARINE WL, BAKRI TRADING CO.
INC., SCHIFF HOLDING CO. S.A. and
TRANS MEDITERRANEAN SHIPPING INC.
80 Pine Street
New York, New York 10005-1759
Telephone: 212 425-1900
Facsimile: 212 425-1901
Michael E. Unger

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROXY INC. MEMPHIS SHIPPING PTE LTD,
DYNASTIC MARITIME INC. and
SAMANTHA SHIPMANAGEMENT GROUP,

12 cv 3625 (LAK)

Petitioner,

-against-

INTERNATIONAL OIL OVERSEAS INC.,
MARINA WORLD SHIPPING CORP.,
GRESHAM WORLD SHIPPING CORP.,
TARAZONA SHIPPING CO., S.A., QUOIN
ISLAND MARINE WL, BAKRI TRADING CO.
INC., SCHIFF HOLDING CO. S.A. and
TRANS MEDITERRANEAN SHIPPING INC.

**ANSWER TO VERIFIED
PETITION TO RECOGNIZE
CONFIRM AND ENFORCE
FOREIGN ARBITRAL AWARD**

Respondents.

-----X
Respondents, MARINA WORLD SHIPPING CORP., GRESHAM WORLD SHIPPING
CORP., TARAZONA SHIPPING CO., S.A., QUOIN ISLAND MARINE WL, BAKRI
TRADING CO. INC., SCHIFF HOLDING CO. S.A. and TRANS MEDITERRANEAN
SHIPPING INC. by their attorneys Freehill, Hogan & Mahar, LLP, answering the Plaintiff's

Verified Petition to Recognize, Confirm and Enforce Foreign Arbitral Award, herein allege upon information and belief as follows:

JURISDICTION

1. DENY knowledge and information sufficient to form a belief as to the allegations contained in Paragraph 1 of the Petition.

2. DENY knowledge and information sufficient to form a belief as to the allegations set forth in Paragraph 2 of the Petition.

3. DENY knowledge and information sufficient to form a belief as to the allegations set forth in Paragraph 3 of the Petition.

4. DENY the allegations set forth in Paragraph 4 of the Petition.

THE PARTIES

5. DENY knowledge and information sufficient to form a belief as to the allegations contained in Paragraphs 5, 6, 7, 8, and 9 of the Petition.

6. ADMIT that at all times relevant hereto, the alleged Alter Ego Respondents were and still are foreign business entities formed and existing under the laws of foreign but except as so specifically admitted, DENY each and every remaining allegation contained in Paragraph 6 of the Petition.

FACTS

7. DENY knowledge and information sufficient to form a belief as to the allegations set forth in Paragraphs 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 of the Petition.

**AS AND FOR A RESPONSE TO THE FIRST CAUSE OF ACTION
TO RECOGNIZE, CONFIRM AND ENFORCE THE AWARD**

8. Answering Respondents repeat, reiterate and reallege each and every admission, denial and denial of knowledge or information contained in paragraphs 1 through 26 inclusive of their Answer to the Verified Petition to Recognize, Confirm, and Enforce Foreign Arbitral Award with the same force and effect as if herein set forth at length.

9. DENY the allegations set forth in Paragraph 28 of the Petition.

10. DENY knowledge and information sufficient to form a belief as to the allegations set forth in Paragraphs 29, 30 and 31 of the Petition.

11. DENY the allegations set forth in Paragraph 10 of the Petition.

**AS AND FOR A RESPONSE TO THE SECOND CAUSE OF ACTION
AGAINST THE ALTER EGO RESPONDENTS TO ENFORCE THE AWARD
AGAINST THEM AS TRADE NAMES, ALIASES, ALTER EGOS,
PAYING AGENTS, RECEIVING AGENTS OR JOINT VENTURERS OF 1001**

12. Answering Respondents repeat, reiterate and reallege each and every admission, denial and denial of knowledge or information contained in paragraphs 1 through 11 inclusive of their Answer to the Verified Petition to Recognize, Confirm, and Enforce Foreign Arbitral Award with the same force and effect as if herein set forth at length.

13. DENY the allegations set forth in Paragraph 3234, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 5, 52, 53, 54, 55, 56 and 57 of the Petition.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

14. This Court lacks *in personam* jurisdiction over the Answering Respondents.

SECOND AFFIRMATIVE DEFENSE

15. That Petitioners have failed to state a cause of action in their Petition upon which relief can be granted against Answering Respondents.

THIRD AFFIRMATIVE DEFENSE

16. Petitioners have improperly and/or insufficiently served process upon the Answering Respondents.

FOURTH AFFIRMATIVE DEFENSE

17. The claims of alter ego relationship set forth in the Petition are subject to foreign law including but not limited to the law of the United Arab Emirates, Saudi Arabia and England. Answering Respondents hereby provide notice that they intend to raise an issue about a foreign country's laws as required by Fed. R. Civ. P. 44.1. All rights and defenses available to Answering Respondents as are permissible under foreign law are incorporated herein and expressly reserved.

FIFTH AFFIRMATIVE DEFENSE

18. Petitioners have failed to properly and fully mitigate their damages.

WHEREFORE, Respondents, MARINA WORLD SHIPPING CORP., GRESHAM WORLD SHIPPING CORP., TARAZONA SHIPPING CO., S.A., QUOIN ISLAND MARINE WL, BAKRI TRADING CO. INC., SCHIFF HOLDING CO. S.A. and TRANS MEDITERRANEAN SHIPPING INC. respectfully pray:

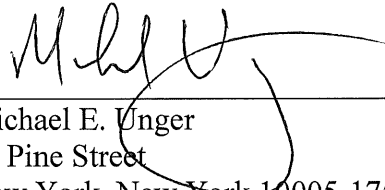
A. That the Petition to Recognize, Confirm and Enforce the Foreign Arbitration Award be denied;

B. That this Court grant Respondents their costs and expenses, including reasonable attorneys' fees in defending this action; and

C. That Respondents may have such other, further and different relief as may be just and proper.

Dated: New York, New York
May 14, 2012

FREEHILL, HOGAN & MAHAR, LLP
Attorneys for Respondents
MARINA WORLD SHIPPING CORP.,
GRESHAM WORLD SHIPPING CORP.,
TARAZONA SHIPPING CO., S.A., QUOIN
ISLAND MARINE WL, BAKRI TRADING CO.
INC., SCHIFF HOLDING CO. S.A. and
TRANS MEDITERRANEAN SHIPPING INC.

By: 

Michael E. Unger
80 Pine Street
New York, New York 10005-1759
Telephone: 212 425-1900

TO: BROWN GAVALAS & FROMM LLP
Attorneys for Petitioners
ROXY INC. MEMPHIS SHIPPING PTE LTD,
DYNASTIC MARITIME INC. and
SAMANTHA SHIPMANAGEMENT GROUP
355 Lexington Avenue
New York, New York 10017
Telephone: (212) 983-8500
Facsimile: (212) 983-5946